



Atty. Dkt. No. 065686-0156

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Masatsugu OGAWA

Title: INFORMATION RECORDING MEDIUM, METHOD OF  
GENERATING FLAG, METHOD OF PRODUCING  
INFORMATION RECORDING MEDIUM, METHOD OF  
ADJUSTING RECORDING CONDITIONS OF INFORMATION  
RECORDING MEDIUM, METHOD OF RECORDING FOR  
INFORMATION RECORDING MEDIUM AND...

Appl. No.: 10/620,577

Filing Date: 07/17/2003

Examiner: Joseph R. Haley

Art Unit: 2627

Confirmation 8852  
Number:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be

appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(d), before payment of the issue fee.

### **RELEVANCE OF EACH DOCUMENT**

The documents listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding Japanese application. A partial English translation of the Japanese Office Action of March 25, 2008, follows:

Cited Example 1 (see especially paragraph 44 and Figures 8 and 9) describes “a recording parameter adjustment method for an information recording medium wherein the asymmetry values for at least two sets of recording parameters are compared and the recording parameter adjustment method is determined based on the comparison results, the comparison being carried out by comparing a first asymmetry value for a first recording power that minimizes jitter and a second asymmetry value for a second recording power that is approximately 0.85 times said first recording power.”

(List of Cited Literature)

1. Japanese Unexamined Patent Application Publication H11-273073
2. Japanese Unexamined Patent Application Publication 2002-25060
3. Japanese Unexamined Patent Application Publication H10-64064

<Record of prior art literature search results>

- Fields searched (IPC 8th Edition)

G11B7/0045, 7/12-7/22

- Prior art literature

Japanese Unexamined Patent Application Publication 2000-231727, Japanese Unexamined Patent Application Publication 2003-151160, Japanese Unexamined Patent Application Publication 2003-203341

Copies of Documents D1 and D2 are not provided herewith, as these documents were submitted with Applicant's Information Disclosure Statement of June 27, 2006.

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding Japanese application. An English translation of the foreign-language documents is not readily available. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP §609). English language abstracts are attached.

Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

### **STATEMENT**

The undersigned hereby states in accordance with 37 CFR §1.97(e)(2) that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of the information disclosure statement.

The undersigned hereby states in accordance with 37 CFR §1.704(d) that each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart application and that this

communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

**FEE**

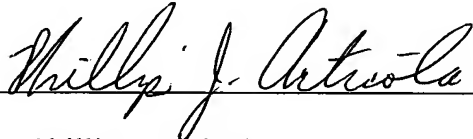
A credit card payment form in the amount of \$180.00 is enclosed in accordance with 37 CFR §1.17(p) to cover the fee associated with an information disclosure statement under 37 CFR §1.97(d) in the amount of \$180.00.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date: April 24, 2008

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